

## STATE OF WASHINGTON

OFFICE OF  
INSURANCE COMMISSIONERBEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON

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In the Matter of	)	No. D 99 - 12
<b>Auto Driveaway Company</b>	)	CONSENT & STIPULATION
<i>Licensee.</i>	)	

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Auto Driveaway Company ("Auto Driveaway ") enters into this consent and stipulation without admitting any violation of law or rule or any other wrongdoing. The Office of the Insurance Commissioner has received a complaint alleging:

1. Auto Driveaway has in the past collected money from franchisees, "agents," or "associates," saying the money is allocated for insurance, when in fact some of that money was not paid to an insurer but instead was retained by Auto Driveaway. The money was retained for a program styled a "self insurance" program but allegedly the persons insured were those franchisees, "agents," or "associates." To that extent, this would be insurance and not self-insurance. Auto Driveaway would thus have been acting as an insurer without being authorized under RCW 48.05.030 and without complying with RCW 48.15.020.

2. Auto Driveaway has in the past provided or purported to provide insurance to those franchisees, "agents," or "associates", under the so-called self-insurance program and otherwise, without being licensed as an agent or broker under Washington law. That conduct would be in violation of RCW 48.17.060.

Auto Driveaway, while denying it has violated any applicable law or regulation, stipulates and

consents and warrants that it will not act as an insurer in Washington without obtaining a certificate of authority or complying with chapter 48.15 RCW and will not act as an insurance agent or broker in Washington without being licensed pursuant to chapter 48.17 or 48.15 RCW. The matters involved in this stipulation and consent, and the fact of this stipulation and consent, may be considered by the Commissioner in any future administrative or judicial actions regarding Auto Driveaway.

Signed this 25th day of March, 1999.

AUTO DRIVEAWAY COMPANY

By: \_\_\_\_\_

(signature)

Its: \_\_\_\_\_

(title)

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ORDER

The Commissioner hereby accepts the foregoing Consent and Stipulation, and RESCINDS the order dated February 17, 1998.

ENTERED AT LACEY, WASHINGTON, this 30th day of March, 1999.

DEBORAH SENN

Insurance Commissioner

By

WILLIAM E. FRANDSEN

Deputy Commissioner